



Serial No. 10/749,471

*EFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 3992

Applicants: Richard J. Melker et al.

Examiner: E. F. Winakur

Assigned

Serial No.: 10/749,471

Art Unit: 3736

Filed: 12/30/2003

For: NOVEL SPECIALLY CONFIGURED NASAL PULSE  
OXIMETER/PHOTOPLETHYSMOGRAPHY  
PROBES, AND COMBINED NASAL PROBE/CANNULA,  
SELECTIVELY WITH SAMPLER FOR CAPNOGRAPHY,  
AND COVERING SLEEVES FOR SAME

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BOX MISSING PARTS

Commissioner for Patents

P. O. Box 1450

Alexandria, Virginia 22313-1450

**REQUEST FOR EXTENSION OF TIME**

Applicants request a two-month extension of time through and including September 15, 2005, to respond to the Office Action dated April 15, 2005, in the application referred to above. A check in the amount of \$225.00 accompanies this paper.

09/21/2005 HLE333 00000006 10749471

01 FC:2252

225.00 0P

Respectfully submitted,

Timothy H. Van Dyke

Reg. No. 43,218

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Serial No. 10/749,471

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that this Request for Extension of Time is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Amendments, Alexandria, Virginia 22313-1450 15<sup>th</sup> day of September 2005.

  
\_\_\_\_\_  
Timothy H. Van Dyke



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number)

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**225.00****Complete if Known**

Application Number	10/749,471
Filing Date	12/20/2003
First Named Inventor	Richard J. Melker et al.
Examiner Name	E. F. Winakur
Art Unit	3736
Attorney Docket No.	10457-042

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	x _____	= _____	_____	_____	_____	_____
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	_____	_____	_____
_____ - 3 or HP = _____	x _____	= _____	_____	_____	_____	_____
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: **Two Month Extension of Time**

Fees Paid (\$)

**225.00****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) <b>43,218</b>	Telephone <b>407-926-7726</b>
Name (Print/Type)	<b>Timothy H. Van Dyke</b>	Date <b>9/15/2005</b>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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